

\*The word "*demurrant*" in the original is said to be not well translated by the word "*dwelling*," Lit. Rep. 328. It is held that the sheriff has no jurisdiction except in his own county; as observed by Lord Ellenborough in *Chase v. Joyce*, 4 M. & S. 412, with respect to a *bailable latitat*, there has never been a doubt but that it must be executed in the county, and by the officer of the sheriff to whom it was directed; out of the county the officer would be a trespasser. And, though in case of process not bailable, the same may be served without the intervention of the sheriff, yet it may be delivered to the sheriff, and he may be required to execute it, but it can never be contended that he could be called on to serve it out of his county, or that he could justify entering the house, or coming on the land of the party out of his county, for the purpose of serving it. But the Court will not enter into a question of the regularity of process upon the question of the limits of adjoining counties, *ibid.*, and *Hammond v. Taylor*, 3 B. & A. 408; and the practice in such cases is to require an affidavit that the arrest did not take place on the borders of the county, and that there is no dispute as to boundaries, *Webber v. Manning*, 1 Dowl. P. C. 24. The sheriff may, however, do a ministerial act out of his county, as make a panel or return a writ, *Bac. Abr. Sheriff, F.* The relations of the sheriffs to the Court of Chancery were considered by Chancellor Bland in *Deale v. Estep*, 3 Bl. 433. See also the Code, Art. SHERIFF.<sup>1</sup>

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<sup>1</sup> Code 1911, Art. 87. A deputy sheriff in Maryland is a common law officer and is not required to take any oath as a qualification to act as such. His appointment by the sheriff in writing is sufficient. He possesses authority such as the sheriff himself may exercise, as to abate a public nuisance in a public highway, *Turner v. Holtzman*, 54 Md. 148; or to arrest without warrant, *Edgar v. Burke*, 96 Md. 715; or to conduct an inquisition in lunacy. *Ex parte Bristol*, 115 Md. —.

## CAP. XVIII.

### The Punishment of an Attorney found in default.

*Item*, For sundry Damages and Mischiefs that have ensued before this time to divers persons of the Realm by a great number of Attornies, ignorant and not learned in the Law, as they were wont to be before this time; (2) it is ordained and stablished, that all the Attornies shall be examined by the Justices, and by their Dis-

*Item* pur pleuseurs damages & meschiefs qont advenuz devaunt ces heures as diverses gentz du roialme par le grant nombre des attournees nient sachantz nprises de la loye come ils soloient estre pardevant ordeignez est & establiz qe toutz les attournees soient examinez par les justices & par leur discrecions leur nouns